

03- *p* -0238

Entered - 01/29/03 - sb  
CL03L0064 - DIANNE C. MITCHELL

CLAIM OF: NAZAIRE THEODORE  
4614 Tree Terrace Parkway  
Austell, Georgia 30168

ADOPTED BY  
MAR 03 2003  
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on January 25, 2003 at 3655 Cascade Road, SW.

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **NAZAIRE THEODORE** the sum of **\$1,531.06** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on January 25, 2003 at 3655 Cascade Road, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: LINDA K. DISANTIS  
CITY ATTORNEY

BY:   
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

## FAVORABLE REPORT

COMM: *Public Safety*

DATE: *2-25-03*

CHAIR: *Clara Henderson*

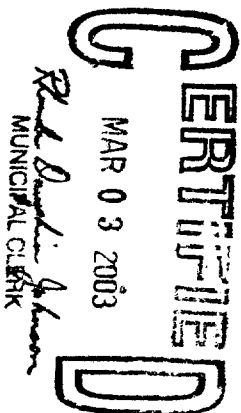
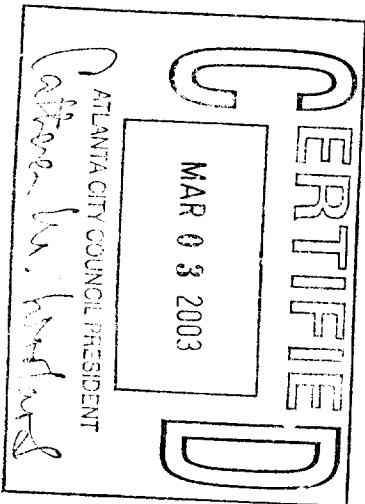
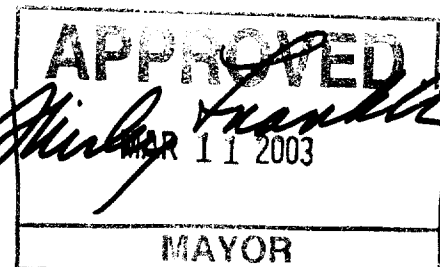
*C.T. Marks*

*Mary Norwood*

*[Signature]*

*[Signature]*

*[Signature]*





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**03-R-0238**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Nazaire Theodore** in the sum of **\$1,531.06** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a vehicular accident on January 25, 2003 at 3655 Cascade Road, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

**MAR 03, 2003  
MAR 11, 2003**

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 03L0064

Date: February 11, 2003

Claimant /Victim NAZAIRE THEODORE

BY: (Atty)(Ins. Co.)

Address: 4614 Tree Terrace Parkway, Austell, Georgia 30168

Subrogation: Claim for Property damage \$ 1,531.06 Bodily Injury \$

Date of Notice: 01/28/03 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 01/25/03 Place: 3655 Cascade Road, SW

Department Fire Division:

Employee involved Adam D. Ferrell Disciplinary Action: Letter of Counseling

NATURE OF CLAIM: The driver of the City vehicle misjudged his clearance and struck the claimant's parked vehicle causing damages in the above amount.

**INVESTIGATION:**

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial

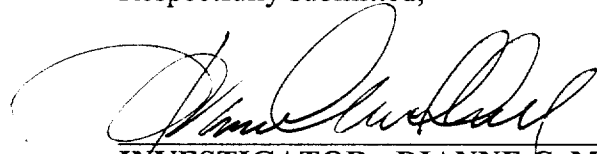
Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 1,531.06 Adverse Account charged: 1A01 X 2J01 2H01 2P01

Claims Manager: Concur/date 02-11-03

Committee Action: Council Action

RCS# 4504  
3/03/03  
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1                      Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT 1

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**3/03/03 FULL COUNCIL MEETING**

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**Items Adopted on the  
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent  
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
- 36.03-R-0250
- 37.03-R-0251
- 38.03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

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Consent I Vote: 12Yeas; 0 Nays: (See RCS #4504)  
Item Removed from the Consent Agenda: 03-R-0321